

YAS.021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Shusaku Uchibori

Serial No.: 09/588,725

Group Art Unit: 2127

Filed: June 7, 2000

Examiner: Nilesh R. Shah

For: TASK PROCESSING SYSTEM

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

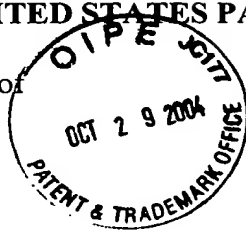
**PETITION FOR NEW OFFICE ACTION UNDER 37 C.F.R. 1.181 AND
WITHDRAWAL OF HOLDING OF ABANDONMENT**

Sir:

In response to the Notice of Abandonment, mailed July 1, 2004, and in accordance with Delgar, Inc., v. Schuyler (172 USPQ 513) (DDC 1971) and MPEP § 711.03(c), page 700-92, second column (Ed. 7, July 1998), Applicant hereby petitions for a new Office Action and for withdrawal of the holding of abandonment.

The Notice states that the abandonment was caused by "Applicant's failure to timely file a proper reply to the Office letter mailed on 21 July 2003". However, Applicant did receive a First Office Action from the U.S. Patent and Trademark Office (PTO) dated July 2, 2003, to which a responsive Amendment was filed on September 26, 2003. A copy of that Amendment, together with a copy of the stamped filing postcard, is attached hereto (Exhibit 1). In addition, an Information Disclosure Statement was filed on May 6, 2004, a copy of which is also attached, together with a copy of the stamped filing postcard (Exhibit 2).

The Notice of Abandonment, which was received by McGinn & Gibb, PLLC, on July 2, 2004, is the most recent communication from the PTO for the above-identified application.



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Docket No. F-10190
Application Serial No. 09/588,725
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It is noted that the Notice of Abandonment (second page) sets forth an entirely different application number, applicant's name and alleged mailing date of Office Action. SPE Meng-Al T. An was contacted and advised of this fact; however, since the Notice of Abandonment is of record, Applicant is filing the within Petition for withdrawal of holding of abandonment.

Further, while the Examiner's comments in Item No. 7 of page 2 of the Notice of Abandonment are noted, our records (e.g., telephone logs, file notes, etc.) show no evidence or indication of any attempts to contact the undersigned.

Applicant requests that the Amendment filed September 26, 2003 (Exhibit 1) and the Information Disclosure Statement filed May 6, 2004 (Exhibit 2) be entered of record and considered by the Examiner in charge of this case.

Pursuant to the above, Applicant respectfully requests that a new Office Action be sent in the subject application and that the holding of abandonment be withdrawn.

Since this error is due to the U.S. Patent and Trademark Office, no fee is believed necessary. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



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Registration No. 34,386

Date: _____

10/29/04

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